

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ALLEN APPLESTEIN, et al.,

Plaintiffs,

-against-

REPUBLIC OF ARGENTINA,

Defendant.

02-cv-04124 (TPG)

APPLESTEIN,

Plaintiff,

-against-

ARGENTINA REPUBLIC, et al.,

Defendants.

02-cv-01773 (TPG)

(captions continue on following pages)

**DECLARATION OF EVAN K. FARBER IN
OPPOSITION TO PLAINTIFFS' MOTIONS FOR TURNOVER ORDERS**

FRANCESCHI, et al., Plaintiffs, -against- REPUBLIC OF ARGENTINA, Defendant.	03-cv-04693 (TPG)
MAZINI, et al., Plaintiffs, -against- THE REPUBLIC OF ARGENTINA, Defendant.	03-cv-08120 (TPG)
MORATA, et al., Plaintiff, -against- THE REPUBLIC OF ARGENTINA, Defendant.	04-CV-03314 (TPG)
MODES, et al., Plaintiff, -against- THE REPUBLIC OF ARGENTINA, et al., Defendants.	04-CV-03314 (TPG) (captions continue on following page)

MARIA FAUSTA CHILLI, et al.,

Plaintiffs,

-against-

THE REPUBLIC OF ARGENTINA,

Defendant.

04-cv-06594 (TPG)

ROSA, et al.,

Plaintiffs,

-against-

THE REPUBLIC OF ARGENTINA,

Defendant.

04-cv-07504 (TPG)

CONSOLINI, et al.,

Plaintiffs,

-against-

THE REPUBLIC OF ARGENTINA, et al.,

Defendants.

05-cv-00177 (TPG)

FERRI, et al.,

Plaintiffs,

-against-

THE REPUBLIC OF ARGENTINA,

Defendant.

05-cv-02943 (TPG)

(captions continue on following page)

RIGUEIRO, et al.,

Plaintiffs,

-against-

THE REPUBLIC OF ARGENTINA,

Defendant.

05-cv-03089 (TPG)

BETTONI, et al.,

Plaintiffs,

-against-

THE REPUBLIC OF ARGENTINA, et al.,

Defendants.

05-cv-04299 (TPG)

FEDECOSTANTE, et al.,

Plaintiffs,

-against-

THE REPUBLIC OF ARGENTINA,

Defendant.

05-cv-04466 (TPG)

LISI, et al.,

Plaintiffs,

-against-

THE REPUBLIC OF ARGENTINA,

Defendant.

05-cv-06002 (TPG)

(captions continue on following page)

<p>ROSSINI, et al.,</p> <p>Plaintiffs,</p> <p>-against-</p> <p>THE REPUBLIC OF ARGENTINA, et al.,</p> <p>Defendants.</p>	05-cv-06200 (TPG)
<p>KLEIN, et al.,</p> <p>Plaintiffs,</p> <p>-against-</p> <p>THE REPUBLIC OF ARGENTINA,</p> <p>Defendant.</p>	05-cv-06599 (TPG)
<p>LOVATI, et al.,</p> <p>Plaintiffs,</p> <p>-against-</p> <p>THE REPUBLIC OF ARGENTINA,</p> <p>Defendant.</p>	05-cv-08195 (TPG)
<p>BOTTI, et al.,</p> <p>Plaintiffs,</p> <p>-against-</p> <p>THE REPUBLIC OF ARGENTINA, et al.,</p> <p>Defendants.</p>	05-cv-08687 (TPG)
<i>(captions continue on following page)</i>	

PASQUALI, et al.,

Plaintiffs,

-against-

THE REPUBLIC OF ARGENTINA,

Defendant.

05-cv-10636 (TPG)

BEYER, et al.,

Plaintiffs,

-against-

THE REPUBLIC OF ARGENTINA,

Defendant.

05-cv-00098 (TPG)

BORGRA, et al.,

Plaintiffs,

-against-

THE REPUBLIC OF ARGENTINA, et al.,

Defendants.

05-cv-05807 (TPG)

MARIE LAURETTE DUSSAULT,

Plaintiffs,

-against-

THE REPUBLIC OF ARGENTINA,

Defendant.

06-cv-13085 (TPG)

I, Evan K. Farber, pursuant to 28 U.S.C. § 1746, declare under penalty of perjury as follows:

1. I am employed by the firm of Reed Smith LLP, counsel for The Bank of New York Mellon, as Indenture Trustee (the “Trustee”), a non-party in the above-captioned actions. I have personal knowledge of the matters attested to in this Declaration. I am a member in good standing of the Bars of the State of New York and the United States District Court for the Southern District of New York. I make this Declaration in opposition to the turnover motions filed by plaintiffs in the above-captioned cases.

2. Attached as Exhibit A is a true and correct copy of the transcript of the proceedings that occurred in this Court on July 22, 2014 in the following thirteen cases (the “NML Actions”): NML Capital, Ltd. v. Republic of Argentina, 08 cv-6978 (TPG), 09 cv 1707 (TPG), 09-cv-1708 (TPG); Aurelius Capital Master, Ltd., et al. v. Republic of Argentina, 09-cv-8757 (TPG), 09-cv-10620 (TPG); Aurelius Opportunities Fund II, LLC, et al. v. Republic of Argentina, 10-cv-1602 (TPG), 10 cv 3507 (TPG); Aurelius Capital Master, Ltd., et al. v. Republic of Argentina, 10-cv-3970 (TPG), 10-cv-8339 (TPG); Blue Angel Capital I LLC v. Republic of Argentina, 10-cv-4101 (TPG), 10-cv-4782 (TPG); Pablo Alberto Varea v. Republic of Argentina, 10 cv-5338 (TPG); and Olifant Fund, Ltd. v. Republic of Argentina, 10 cv-9587 (TPG).

3. Attached as Exhibit B is a true and correct copy of (a) a Trust Indenture between the Republic of Argentina, as Issuer (the “Republic”), and the Trustee, dated as of June 2, 2005; and (b) a First Supplemental Indenture between the Republic and the Trustee, dated as of April 30, 2010.

4. Attached as Exhibit C is a true and correct copy of the November 16, 2012 Declaration of Kevin F. Binnie of the Bank of New York Mellon Regarding the Payment

Processes for Global Bonds Issued Pursuant to That Certain Trust Indenture Dated As Of June 2, 2005, And the First Supplemental Indenture Dated As Of April 30, 2010.

5. Attached as Exhibit D is a true and correct copy of the Order entered by the United States Court of Appeals for the Second Circuit on June 18, 2014 in Case 12-105 at Dkt. 1056.

6. Attached as Exhibit E is a true and correct copy of the transcript of the proceedings that occurred in this Court on June 27, 2014 in the NML Actions.

7. Attached as Exhibit F is a true and correct copy of the transcript of the proceedings that occurred in this Court on August 8, 2014 in the NML Actions.

8. Attached as Exhibit G is a true and correct copy of an advertisement placed in the Wall Street Journal on July 17, 2014, apparently by the Presidency of the Nation, Argentine Republic. A substantially similar advertisement was also placed in the New York Times.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
September 22, 2014



Evan K. Farber